

Tank Operations
Contract No. DE-AC27-08RV14800

Contract Section J
Modification No. 630

ATTACHMENT J-6

SMALL BUSINESS SUBCONTRACTING PLAN

Signed May 25, 2021

Tank Operations Contract
DE-AC27-08RV14800



J.6 Small Business Subcontracting Plan

Date: May 5, 2021

Contractor: Washington River Protection Solutions, LLC

Address: 2425 Stevens Drive
PO Box 850, MSIN H3-21
Richland, WA 99352

Contract Number: DE-AC27 08RV14800

Commitment to Small Business Concerns

It is the policy of Washington River Protection Solutions, LLC (WRPS) that Small Business Concerns, including veteran-owned small business concerns, service-disabled veteran-owned small business concerns, HUBZone small business concerns, small disadvantaged business concerns, and women-owned small business concerns, as well as Historically Black Colleges and Universities/Minority Institutions (HBCU/MI) concerns, shall have the maximum practicable opportunity to compete for the procurement of goods and services.

WRPS is committed to an effective supplier diversity program that demonstrates measurable improvements from year to year, is consistent with recognized industry objectives and applications, is consistent with the contractual expectations of our clients, and maximizes procurement opportunities for small business concerns consistent with efficient contract performance.

John Eschenberg
President, WRPS

Gregg Crockett
Business Operations Manager, WRPS

Jose Legarreta
Procurement Services Manager, WRPS

INTRODUCTION

Washington River Protection Solutions, LLC (WRPS) hereby submits the following document, together with attachments, as the Subcontracting Plan to satisfy the applicable requirements of the Small Business Act (Public Law 85-536, as amended) as well as Federal Acquisition Regulation (FAR) 52.219-8 and FAR 52.219-9, Small Business Subcontracting Plan (SEP 2006) – Alternate II (OCT 2001). All elements of this plan have been developed, specifically for this contract and are applicable for the full term of this contract.

DEFINITIONS

In accordance with FAR 19.000(b) and 19.702(b)(3), application of this plan is limited to goods and services acquired inside the United States, its territories and possessions, Puerto Rico, the Trust Territory of the Pacific Islands, and the District of Columbia.

As used in this plan -- "Alaska Native Corporation (ANC)" means any Regional Corporation, Village Corporation, Urban Corporation, or Group Corporation organized under the laws of the State of Alaska in accordance with the Alaska Native Claims Settlement Act, as amended ([43 U.S.C. 1601](#), *et seq.*) and which is considered a minority and economically disadvantaged concern under the criteria at [43 U.S.C. 1626\(e\)\(1\)](#).

This definition also includes ANC direct and indirect subsidiary corporations, joint ventures, and partnerships that meet the requirements of [43 U.S.C. 1626\(e\)\(2\)](#).

“Concern” means any business entity organized for profit (even if its ownership is in the hands of a nonprofit entity) with a place of business located in the United States and which makes a significant contribution to the economy through payment of taxes and/or use of American products, material and/or labor.

“Electronic Subcontracting Reporting System (eSRS)” means the Government wide, electronic, web-based system for small business subcontracting program reporting.

“Failure to make a good faith effort to comply with the subcontracting plan” means willful or intentional failure to perform in accordance with the requirements of the subcontracting plan, or willful or intentional action to frustrate the plan.

“Indian tribe” means any Indian tribe, band, group, pueblo, or community, including native villages and native groups (including corporations organized by Kenai, Juneau, Sitka, and Kodiak) as defined in the Alaska Native Claims Settlement Act ([43 U.S.C. 1601 et seq.](#)), that is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs in accordance with 25 U.S.C. 1452(c). This definition also includes Indian-owned economic enterprises that meet the requirements of 25 U.S.C. 1452(e).

“Subcontracted” means any agreement (other than one involving an employer-employee relationship) entered into by a Government prime contractor or subcontractor calling for supplies and/or services required for performance of the contract, contract modification, or subcontract. This excludes all work done with the Workers’ Compensation Claims Services Contractor, Penser North America, Inc. to support the payroll for other DOE site contractors. This also excludes all work performed through affiliates of WRPS as explained in Section H, Subsection 20 titled “Self-Performed Work.”

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1. GOALS

Separate dollar and percentage goals, as specified in FAR 52.219-9 (d)(1) and (2), expressed in terms of percentage of planned subcontracting dollars, for the utilization as subcontractors of Small Disadvantaged Business (SDB) Concerns; Women-Owned Small Business (WOSB) Concerns; HUBZone Business

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Concerns; Veteran-Owned (VOSB) and Services-Disabled Veteran-Owned Small Business (SDVOSB) Concerns have been developed for the contract aggregate (FY 2009 to FY 2021).

Planned Subcontracting Dollars	% Goal	Dollar Goal
1. Total Estimated Contract Cost	100.0%	\$ 8,051,723,267
2. Minus Legacy Pension and Benefit Plan Mgmt.		\$ 1,460,417,229
3. Adjusted Estimated Contract Amount		\$ 6,591,306,038
4. Total Estimated Dollars Prime Contractor Self Performance	70% of Item 3	\$ 4,613,914,227
5. Total Estimated Dollars Planned to be Subcontracted ¹	30% of Item 3	\$ 1,977,391,811
6. Total Estimated Dollars Planned to be Subcontracted to Small Business Concerns ²	58.2% of Item 5	\$ 1,150,842,034
Small Disadvantaged Business (SDB) Concerns	6.3% of Item 5	\$ 124,575,684
Woman Owned Small Business (WOSB) Concerns	5.8% of Item 5	\$ 114,688,725
HUBZone Small Business (HUBZone) Concerns	2.2% of Item 5	\$ 43,502,620
Veteran Owned Small Business (VOSB) Concerns	1.3% of Item 5	\$ 25,706,094
Service Disabled Veteran Owned Small Business (SDVOSB) Concerns	1.3% of Item 5	\$ 25,706,094

2. SUPPLIES/SERVICES TO BE SUBCONTRACTED

A description of the principal types of supplies and services to be subcontracted under this contract and the types of business supplying them is provided in Appendix A-1 to this Plan.

3. GOAL DEVELOPMENT METHOD

WRPS considered the following in establishing its contract goals:

1. Availability of local and regional qualified small businesses

¹ Subcontracted dollars means any agreement (other than one involving an employer-employee relationship) entered into by a Government prime contractor or subcontractor calling for supplies and/or services required for performance of the contract, contract modification, or subcontract. This excludes all work done with the Workers' Compensation Claims Services Contractor, Penser North America, Inc. to support the pension/benefits administration for other DOE site contractors.

² When calculations are performed subcontracted dollars exclude all work performed through affiliates of WRPS as explained in Contract Section H, Subsection 20 titled "Self-Performed Works" and all awards/amendments made for required work under the Contract Section J, Attachment J-3, Hanford Site Services and Interface Requirements Matrix (J-3 Matrix) have been excluded from Large Business reporting. For services WRPS chooses to use other Hanford contractors for, they are counted as large business.

2. WRPS's actual performance information for the past four years as seen below:

Socioeconomic Category	WRPS Goal	WRPS Achievement				
		FY 2017	FY 2018	FY 2019	FY 2020	Contract to Date
Small Business Concerns	58.2%	72.5%	65.1%	66.8%	69%	65.7%
SDB	6.3%	2.6%	3.2%	4.9%	6.4%	9.3%
WOSB	5.8%	16.0%	11.2%	10%	9.8%	13.1%
HUBZone	2.2%	5.3%	0.7%	3%	1.1%	3.2%
VOSB	1.3%	5.3%	1.8%	.8%	4.1%	7.6%
SDVOSB	1.3%	3.0%	-0.3%	-0.6%	2.3%	4.9%

Our goals have resulted, and will continue to result, in increased small business participation and award of meaningful work to small business entities, including those located in the Tri-Cities area.

4. SOURCE SELECTION

WRPS will identify potential sources for solicitation purposes on a task-by-task basis through (a) firms pre-qualified through project specific past performance; and (b) existing company source lists. Additional sources for solicitation purposes may be sought through any of the following website addresses:

Potential Sources for Solicitation Purposes	Website Address
Dynamic Small Business Search	http://dsbs.sba.gov/dsbs/dsp_dsbs.cfm
HUBZone	http://www.sba.gov/hubzone/
SAM	https://www.sam.gov
Veterans	http://www.sba.gov/VETS/
Center for Veterans Enterprise	http://www.vetbiz.gov/
Small Disadvantaged Business	http://www.sba.gov/sdb
Diversity Information Resources ("Try Us")	http://www.diversityinforesources.com
Minority Enterprise Development Hotlist	http://www.sba.gov/hotlist/minor.html
8(a) Program	http://www.sba.gov/8abd/
Women-Owned Small Business	https://www.sba.gov/contracting/government-contracting-programs/women-owned-small-businesses
Size Standards	http://www.sba.gov/size/
Government Contracting	http://www.sba.gov/GC

5. INDIRECT COSTS

Indirect costs have **not** been included in the dollar and percentage subcontracting goals stated in item 1 of this plan.

6. PLAN ADMINISTRATOR

The name of the individual(s) employed by WRPS who will administer the subcontracting plan, and a description of the duties of the individuals:

Name:	Talia R. Ochoa	E-mail:	Talia_R_Ochoa@rl.gov
Title:	Small Business Program Manager (SBPM)	Tel.	509-376-6964
Name:	Jose M. Legarreta	E-mail:	Jose_M_Legarreta@rl.gov
Title:	Procurement Services Manager	Tel.	509-376-5976

The SBPM has overall responsibility for the WRPS Small Business Subcontracting Program, including the development, preparation, and execution of individual subcontracting plans, as well as, monitoring the Small Business Plan Administrator's performance relative to the requirements of this particular plan.

The SBPM is responsible for ensuring that this Project meets or exceeds the proposed Small Business utilization requirements proposed in this plan. The SBPM's specific duties, as they relate to this Small Business Subcontracting Plan, are as follows:

- a. Developing and maintaining offerors/bidders lists of small business, veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns from all possible sources.
- b. Ensuring that procurement packages are structured to permit small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business and women-owned small business to participate to the maximum extent possible.
- c. Assuring inclusion of small business, veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned business concerns in all solicitations for products or services they are capable of providing.
- d. Reviewing solicitations to remove statements, clauses, etc., which may tend to restrict or prohibit small business, veteran-owned small business, HUBZone small business, small disadvantaged business and women-owned small business participation.
- e. Ensuring periodic rotation of potential subcontractors on bidders lists.
- f. Ensuring that the bid proposal review board documents its reasons for not selecting low bids submitted by small business, veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns.
- g. Ensuring establishment and maintenance of records of solicitations and subcontract award activity.
- h. Attending or arranging for attendance of company counselors at Business Opportunity Workshops, Minority Business Enterprise Seminars, Trade Fairs, etc.

- i. Conducting or arranging for conduct of motivational training for purchasing personnel pursuant to the intent of Public Law 95-507.
- j. Monitoring of proposed goals.
- k. Preparing and submitting periodic subcontracting reports required.
- l. Coordinating WRPS activities during the conduct of compliance reviews by Federal agencies.
- m. Coordinating the conduct of WRPS activities involving its small business, veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business subcontracting program.
- n. Notifying the Contracting Officer or their representative in writing of any substitutions of firms that are not small business, veteran-owned small business, HUBZone small business, small disadvantaged business, or women-owned small business for the firms listed in the subcontracting plan.

7. **EQUITABLE OPPORTUNITY**

WRPS will comply with FAR 52.219-9(d)(8) by making the following efforts to ensure that small business concerns will have an equitable opportunity to compete for subcontracts:

- a. Outreach efforts will be made through:
 - i. Contacts with minority and small business trade associations, veterans service organizations, and Small Disadvantaged Business Utilization Offices
 - ii. Use newspaper and magazine ads to encourage new sources.
 - iii. Utilize the resources previously identified in Item 4 of this plan for the identification of additional potential sources for solicitation purposes.
 - iv. Attend small and disadvantaged business procurement conferences and trade fairs, including those outreach events identified below:
 - Due to the nationwide COVID-19 pandemic causing in person events to be cancelled, postponed or virtual thru FY21, the SBPM will attend available virtual events when possible.

Event	Sponsor	Approximate Dates
Bridging Partnerships Small Business Symposium	U.S. Department of Energy and Hanford Site Prime Contractors	April 2022
U.S. Department of Energy Small Business Conference	U.S. Department of Energy	TBD

- b. The following internal efforts will be made to guide and encourage buyers:
 - i. Workshops, seminars and training will be conducted.

- ii. Activities will be monitored to evaluate compliance with this subcontracting plan.
 - iii. Providing small businesses access to key project planners and managers when possible.
- c. To effectively implement this plan to the extent consistent with efficient contract performance, WRPS shall perform the following:
 - i. WRPS pledges to consistently maintain one (1) DOE Mentor Protégé Agreement throughout the life of this Contract.
 - ii. The WRPS SBPM, the Project Business Manager, and/or the Procurement Manager will meet periodically with the U.S. Department of Energy Office of River Protection to review the status of WRPS's performance against its Small Business Subcontracting Plan to ensure the maximum practicable utilization of small business concerns as well as the attainment of subcontracting goals.
 - iii. Consistent with efficient contract performance, the SBPM will:
 - Assist small business concerns by arranging solicitations, time for the preparation of bids, quantities, specifications and delivery schedules so as to facilitate the participation of such concerns;
 - Provide adequate and timely consideration of small business concerns in all potential make or buy decisions;
 - Counsel and discuss subcontracting opportunities with representatives of small business concerns;
 - Provide notice to subcontractors concerning penalties and remedies for misrepresentations of small business status for the purpose of obtaining subcontracts that are to be included as part of a goal contained in this subcontracting plan.

8. FLOW DOWN CLAUSES

WRPS agrees that the clause entitled "Utilization of Small Business Concerns" at FAR 52.219-8 will be included in all subcontracts that offer further subcontracting opportunities, and all subcontractors (except small business concerns) who receive subcontracts in excess of \$750,000 (\$1,500,000 in construction) will be required to adopt and comply with a subcontracting plan similar to this one.

Such plans will be reviewed by comparing them with the provisions of Public Law 95-507, and assuring that all minimum requirements of an acceptable subcontracting plan have been satisfied.

The acceptability of percentage goals shall be determined on a case-by-case basis depending on the supplies/services involved, the availability of potential small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business subcontractors, and prior experience.

Once approved and implemented, plans will be monitored through the submission of periodic reports, and/or, as time and availability of funds permit, periodic visits to the subcontractor's facilities to review applicable records and subcontracting program progress.

9. STUDIES/SURVEY PARTICIPATION

WRPS agrees to:

- Cooperate in any studies or surveys as may be required;
- Submit periodic reports so that the Government can determine the extent of compliance by WRPS with the subcontracting plan;
- Submit the Individual Subcontract Report (ISR) and/or the Summary Subcontract Report (SSR), in accordance with paragraph (i) of FAR clause 52.219-9 using the Electronic Subcontracting Reporting System (eSRS) at <http://www.esrs.gov>.
- Ensure that its subcontractors with subcontracting plans agree to submit the ISR and SSR using eSRS;
- Provide its prime contract number, DUNS number and the e-mail address of the Government or Contractor official responsible for acknowledging or rejecting the reports to all first-tier subcontractors with subcontracting plans so they can enter this information into the eSRS when submitting their reports; and
- Require that each subcontractor with a subcontracting plan provide the prime contract number, its own DUNS number and the e-mail address of the Government or Contractor official responsible for acknowledging or rejecting the reports, to its subcontractors with subcontracting plans.

10. RECORD RETENTION

WRPS will maintain the following records to demonstrate the procedures adopted to comply with the requirements and goals in this subcontracting plan:

- i. Source lists (e.g., Dynamic Small Business Search, SAM), guides, and other data that identify small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns.
- ii. Organizations contacted in an attempt to locate sources that are small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, or women-owned small business concerns.
- iii. Records on each subcontract solicitation resulting in an award of more than \$150,000, indicating:
 - a. Whether small business concerns were solicited and if not, why not;

- b. Whether veteran-owned small business concerns were solicited and, if not, why not;
 - c. Whether service-disabled veteran-owned small business concerns were solicited and, if not, why not;
 - d. Whether HUBZone small business concerns were solicited and, if not, why not;
 - e. Whether small disadvantaged business concerns were solicited and if not, why not;
 - f. Whether women-owned small business concerns were solicited and if not, why not;
 - g. If applicable, the reason award was not made to a small business concern.
- iv. Records of any outreach efforts to contact:
 - a. Trade associations;
 - b. Business development organizations;
 - c. Conferences and trade fairs to locate small, HUBZone small, small disadvantaged, and women-owned small business sources; and
 - d. Veterans service organizations.
- v. Records of internal guidance and encouragement provided to buyers through: workshops, seminars, training, etc., and monitoring performance to evaluate compliance with the program's requirements.
- vi. On a contract-by-contract basis, records to support award data submitted by WRPS to the Government, including the name, address, and business size of each subcontractor.

11. Good Faith Effort

WRPS will make a good faith effort to acquire articles, equipment, supplies, services, or materials, or obtain the performance of construction work from the small business concerns that the offer used in preparing the bid or proposal, in the same or greater scope, amount, and quality used in preparing and submitting the bid or proposal.

12. Written Explanation in Case of Failure to Complete Contract

In the event the WRPS fails to acquire articles, equipment, supplies, services or materials, or obtain the performance of construction work as described in section 11, the contractor shall provide a written explanation and submit it to the contracting officer within 30 days of contract completion.

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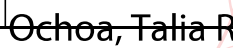
13. Discussion


WRPS will not prohibit a subcontractor from discussing with the contracting officer any material matter pertaining to payment to or utilization of a subcontractor.

14. Payment

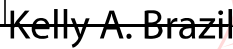
WRPS will pay its small business subcontractors on time and in accordance with the terms and conditions of the subcontract, and notify the contracting officer if the offeror pays a reduced or an untimely payment to a small business subcontractor.


This subcontracting plan was submitted by:

Agency:	Washington River Protection Solutions		
Typed Name:	Talia R. Ochoa	Title:	Small Business Program Manager
Telephone:	509-376-6964	Date:	
Signature:	 <small>Digitally signed by Ochoa, Talia R Date: 2021.05.20 13:09:54 -07'00'</small>		

Agency:	Washington River Protection Solutions		
Typed Name:	Laura Mills	Title:	Prime Contract Manager
Telephone:	(509)376-1322	Date:	
Signature:	 <small>Digitally signed by Mills, Laura A Date: 2021.05.20 09:54:57 -07'00'</small>		

Approval:

Agency:	U.S. Department of Energy Office of River Protection		
Typed Name:	Kelly A. Brazil	Title:	Small Business Program Manager
Telephone:	509-376-0174	Date:	
Signature:	 <small>Digitally signed by Kelly A. Brazil Date: 2021.05.25 10:35:03 -07'00'</small>		

Agency:	U.S. Department of Energy, Office of River Protection		
Typed Name:	Shelby Nicole Schuller	Title:	Contracting Officer
Telephone:	(509)376-5207	Date:	
Signature:	 <small>SHELBY SCHULLER 2021.05.25 16:59:48 -07'00'</small>		

A-1 LIST OF SUPPLIES/SERVICES TO BE SUBCONTRACTED

The following principal types of supplies and/or services are planned to be subcontracted under this contract, and the distribution among Small Business Concerns (SB), Small Disadvantaged Business Concerns (SDB), HUBZone Small Business Concerns (HUBZone), Woman-owned Small Business Concerns (WOSB), Veteran-owned Small Business Concerns (VOSB), and Service-disabled Veteran-owned Small Business Concerns (SDVOSB) is as follows:

NAICS	Principle Supplies or Services to be Subcontracted	SB	Protégé Company=s	SDB	WOSB	HUBZone	VOSB	SDVOSB
223710	Machine Shops	•			•	•	•	
236210	Industrial Building Construction	•	•					
236220	Commercial and Institutional Building Construction		•					
237990	Other Heavy and Civil Engineering Construction	•	•	•	•		•	
332111	Steel Fabrication	•		•				
332919	Valve and Pipe Fitting	•		•		•		
541330	Engineering	•		•	•		•	•
541370	Surveying	•					•	•
541611	Management Consulting	•		•	•		•	•
541620	Environmental Consulting	•		•	•			
541990	Professional, Scientific, Technical Services	•		•	•	•	•	•
562211	Hazardous Waste Treatment and Disposal	•						
562910	Remediation Services	•			•			

WRPS has had many successes in utilizing our Protégé companies throughout the life of the contract. Our current Protégé, Elite Construction & Development, is a Small Disadvantaged Business based out of Pasco, Washington. Elite Construction & Development will provide an impact on the positive trend under NAICS code 236210 and Small Disadvantaged Business statistics. The Mentor-Protégé agreement between WRPS and Elite Construction & Development was awarded as a 1-year base period effective October 01, 2018 through September 30, 2019 with a 1-year option period to extend October 01, 2019 to September 30, 2020. WRPS has since exercised the option to extend the Elite Mentor Protégé Agreement thru FY21, up to September 30, 2021.